



IFW

PTO/SB/21 (09-04)
Approved for use through 07/31/2006. OMB 0651-0031
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

TRANSMITTAL FORM

(To be used for all correspondence after initial filing)

Application No.	10/815,330		
	Filing Date	3/31/2004	
	First Named Inventor	Dennis R. Berman	
	Art Unit	3714	
	Examiner Name	Chanda L. Harris	
Total Number of Pages in this Submission:	4	Attorney Docket No.	TRV00-0001-R-1

ENCLOSURES (check all that apply)

<input type="checkbox"/> Fee Transmittal Form <input type="checkbox"/> Fee Attached <input type="checkbox"/> Amendment/Response <input type="checkbox"/> After Final <input type="checkbox"/> Affidavit/Declaration(s) <input type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input checked="" type="checkbox"/> Information Disclosure Statement and PTO Form 1449 <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Response to Missing Parts Notice/Incomplete Application <input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Assignment Papers for Application <input type="checkbox"/> Drawing(s) <input type="checkbox"/> Revocation of Power of Attorney with New Power of Attorney and Change of Correspondence Address <input type="checkbox"/> Petition <input type="checkbox"/> Statement under 37 CFR 3.73(b) <input type="checkbox"/> Power of Attorney by Assignee, with Revocation of Former Powers <input type="checkbox"/> Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Credit Card Payment Form PTO-2038	<input type="checkbox"/> Fee Address Indication Form <input type="checkbox"/> After-Allowance Communication to Technology Center (TC) <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Status Inquiry <input type="checkbox"/> Response to Official Action mailed <input checked="" type="checkbox"/> Return Receipt Postcard <input type="checkbox"/> Additional Enclosure(s):
Remarks:		

SIGNATURE OF APPLICANT, ATTORNEY OR AGENT

Name	Hoyt A. Fleming III	Customer Number: 28422	Date	12/7/2006
Signature			Telephone	(208) 336-5237
Address	Park, Vaughan & Fleming LLP, P.O. Box 140678, Boise, ID 83714		Facsimile	(208) 342-5363

CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the U. S. Postal Service as ☐ Express Mail or ☒ First Class Mail in an envelope addressed to: Mail Stop Amendment; Commissioner for Patents; P.O. Box 1450; Alexandria, VA 22313-1450 on 12/7/2006.

Type or Printed Name	Teresa A. Fleming	Signature	
-----------------------------	-------------------	------------------	--



I hereby certify that this correspondence is being deposited on the date indicated below with the U.S. Postal Service with sufficient postage as first class mail addressed to:

Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450.

By: _____

Teresa A. Fleming

Typed Name: Teresa A. Fleming

Date of Deposit: 12/7/2006

INFORMATION DISCLOSURE STATEMENT UNDER 37 C.F.R. § 1.97

Inventors: Dennis R. Berman
Title: LOCK-IN TRAINING SYSTEM
Filing Date: 3/31/2004
Serial Number: 10/815,330
Group Art Unit: 3714
Examiner: Chanda L. Harris

On an enclosed Form PTO-1449 is information known to applicant(s) and submitted pursuant to 37 C.F.R. § 1.56. A copy of each listed publication and foreign patent, except for pending U.S. applications, is being submitted herewith, along with a concise explanation of information in a foreign language, if any, pursuant to 37 C.F.R. § 1.97-1.98.

Applicants respectfully request that the listed information be considered by the Examiner and be made of record in the above-identified application. The Examiner is requested to initial and return the enclosed Form PTO-1449 in accordance with MPEP § 609.

This statement is not intended to represent that a search has been made or that the information cited in the statement is, or is considered to be, material to patentability as defined in § 1.56.

☒ This statement qualifies under 37 C.F.R. § 1.97, subsection (b) because (check all that apply):

- ☐ (1) It is being filed within 3 months of the application filing date
-- OR --
- ☐ (2) It is being filed within 3 months of entry of a national stage
-- OR --
- ☒ (3) It is being filed before the mail date of the first Office Action on the merits.

☐ 37 C.F.R. § 1.97(c). If this statement is being filed after the latest of: (1) three months beyond the filing date of a national application; (2) three months beyond the date of entry of the national stage as set forth in § 1.491 in an international application; or (3) the mailing date of a first Office action on the merits, but

before the mailing date of the earlier of a final office action under § 1.113 or a notice of allowance under § 1.311, then:

- ☐ a certification as specified in § 1.97(e) is provided below; or
- ☐ a fee of \$180.00 as set forth in § 1.17(p) is authorized below, enclosed, or included with the payment of other papers filed together with this statement.
- ☐ 37 C.F.R. § 1.97(d). If this statement is being filed after the mailing date of the earlier of a final office action under § 1.113 or a notice of allowance under § 1.311, but before payment of the issue fee, then:
- A. a certification as specified in § 1.97(e) is completed below; and
- B. a petition under 37 C.F.R. § 1.97(d) requesting consideration of this statement is submitted herewith; and
- C. a fee of \$180.00 as set forth in § 1.17(p) is authorized below, enclosed, or included with the payment of other papers filed together with this statement.
- ☐ Statement under 37 C.F.R. § 1.97(e) - I hereby certify that either: each item of information contained in the information disclosure statement was cited in a communication from a foreign patent office in a counterpart foreign patent application not more than three months prior to the filing of the information disclosure statement; or no item of information contained in the information disclosure statement was cited in a communication from a foreign patent office in a counterpart foreign patent application, and, to the knowledge of the person signing the statement after making reasonable inquiry, no item of information contained in the information disclosure statement was known to any individual designated in § 1.56(c) more than three months prior to the filing of the information disclosure statement.

Respectfully submitted,

Name: Hoyt A. Fleming III
Reg. No.: 41,752

Signature: _____



Date: 12/7/2006

Park, Vaughan & Fleming LLP
P.O. Box 140678
Boise, ID 83714
(208) 336-5237

28422



INFORMATION DISCLOSURE CITATION

PTO-1449

Complete if Known

Application No.	10/815,330
Filing Date	3/31/2004
First Named Inventor	Dennis R. Berman
Group Art Unit	3714
Atty. Docket No.	TRV00-0001-R-1

U.S. PATENT DOCUMENTS

EXAMINER'S INITIALS	DOCUMENT NO.	DATE MM-YYYY	NAME	CLASSIFICATION
	2003/0077559	04-2003	Braunberger et al.	434/322

FOREIGN PATENT DOCUMENTS

EXAMINER'S INITIALS	DOCUMENT NO.	DATE MM-YYYY	COUNTRY	CLASSIFICATION	Translation	
					Yes	No
					<input type="checkbox"/>	<input type="checkbox"/>
					<input type="checkbox"/>	<input type="checkbox"/>
					<input type="checkbox"/>	<input type="checkbox"/>

OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, Etc.)

EXAMINER

DATE CONSIDERED

EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.